

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM E. UNDERLAND and
MARK SCHALLER, *on behalf of
themselves and all others similarly
situated,*

Plaintiffs,

v.

DENNIS ALTER, WILLIAM ROSOFF,
PHILIP BROWNE, DAVID
WEINSTOCK, ROBERT BLANK,
MAX BOTEL, THOMAS COSTELLO,
DANA BECKER DUNN, RONALD
LUBNER, OLAF OLAFSSON,
MICHAEL STOPLER, and KPMG LLP,
Defendants.

CIVIL ACTION
NO. 10-3621

ORDER

AND NOW, this 16th day of July 2012, upon review of the Advanta Defendants' Motion to Dismiss [Doc. No. 69], the response, reply and surreply thereto, and KPMG's Motion to Dismiss [Doc. No. 70], and the response and reply thereto, and for the reasons set forth in the Memorandum Opinion entered this date, it is hereby **ORDERED** that:

1. The Advanta Defendants' Motion to Dismiss is **DENIED**; and
2. KPMG's Motion to Dismiss is **DENIED**.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

HON. CYNTHIA M. RUFE